

to employees in regular positions. Nevertheless, trainee positions or developmental positions are in different competitive levels from regular positions because the qualifications required for assignment to them are different. Positions are in the same competitive level if they require knowledge, skills, abilities, and aptitudes that are sufficiently similar to get the work done without serious harm to the agency's mission if the employees are interchanged. (Agency in this sense means the entire competitive area.) Therefore, the laws, orders, rules, regulations, policies, or procedures the employee applies in carrying out the duties of the position must be considered. Among competitive positions different competitive levels are indicated for positions with different examination requirements or with selective certification requirements. Positions, however, are not placed necessarily in the same level because they are filled from the same examination without selective certification. Separate levels may be indicated because the knowledge, technique, and know-how acquired on the job may be distinctive enough to keep the agency from readily moving employees from one job to another.

(2) *Job titles.* Similarity of job titles is not conclusive in determining the composition of competitive levels. Sometimes employees with the same generic job title and similar statements of duties and responsibilities cannot be moved readily to each other's jobs because they are in different specialized fields. It is proper to establish separate levels according to specialized fields for those fields that have significant recruiting or training differences. For example, under the title Materials Engineer, the jobs Materials Engineer (Plastics) and Materials Engineer (Metals) are not interchangeable. Likewise, under the title Electrician, the jobs Electrician (Elevator) and Electrician (House Wiring) are not interchangeable.

(3) *Sex.* An agency may not assign positions to competitive levels on the basis of the sex of the incumbents, except in those positions for which restriction of certification of eligibles by sex is found justified by OPM.

(4) *Records.* Before taking any reduction-in-force action an agency must assign every position in the affected competitive area to a competitive level. The record of each competitive level must show clearly all positions in the level. When positions of the same title, series, and grade are placed in different competitive levels, a justification must be placed in the

record. If old records of competitive levels have not been kept current, they should be carefully reviewed and updated when reduction in force is expected. The entire record and the dates of any changes in levels must be available for inspection by OPM and by employees.

(5) *Multiple-designation appointments.* When appointments are made to more than one designated position at a time, as with certain railroad employees, it is proper to set up competitive levels on a multiple-designation basis. For example, if a person is employed both as a locomotive engineer and as a fireman and is assigned from one position to the other under the seniority provisions of railroad-union agreements, it is proper to set up a combined engineer-fireman competitive level for the incumbents of these positions.

c. *Separate competitive levels required.* Positions that seem so similar that they otherwise might seem interchangeable and thus be in the same level must be in different levels when the positions vary by one important factor. An agency has no discretion in establishing levels in this situation. Competitive positions and excepted positions must be in different levels. Excepted positions filled under different appointment authorities must be in different levels. Among either excepted or competitive positions an agency must establish different levels for positions: (1) under different pay schedules, (2) filled on a seasonal basis, (3) filled on a part-time basis, (4) filled on an intermittent basis.

4-4. LOCAL COMMUTING AREA

A local commuting area is a geographic area that usually constitutes one area for employment. It includes a population center (or two or more neighboring ones) and the surrounding localities in which people live and reasonably can be expected to travel back and forth daily from home to work in their usual employment. There is no rule arbitrarily and universally applied to the maximum limit of the commuting area. One person's willingness to travel 75 miles twice a day does not expand a commuting area; another's refusal to travel 25 does not shrink it. The extent of a commuting area ordinarily is determined by common practice or by what reasonably can be expected on the basis of the availability and cost of public transportation or the convenience and adequacy of highways, and the travel time required to go to and from work.

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PART IINTRODUCTION

A. Definitions.

1. Competing Employee. An employee in Tenure Group I, II or III. (See Appendix 4170, Part II, E.2 below.)
2. Competitive Area. That part of an agency, usually consisting of a local commuting area, in which employees compete in reduction in force. (See Part II, B.)
3. Competitive Level. All NRC positions in a competitive area in the same grade or occupational level which are sufficiently alike in qualification requirements, duties, responsibilities, pay schedules and working conditions that the incumbents are mutually interchangeable, i.e., that the incumbent of any one position may be changed readily to any of the other positions without change in type of the appointment or, after a reasonable period of training, without undue interruption to the work program.
4. Days. Calendar days.
5. Furlough. A leave of absence during which an employee is placed in a non-pay status because of lack of work or funds. When the absence is no more than 30 days, the furlough is not a RIF action. When the absence is expected to exceed 30 days, RIF procedures must be observed. The furlough may not exceed 1 year. (See Appendix 4171.)
6. Local Commuting Area. The geographical area which usually constitutes one area for employment purposes. It includes any population center (or two or more) and the surrounding localities in which people live and reasonably can be expected to travel back and forth daily in their normal employment.
7. Noncompeting Employee. An employee not in Tenure Group I, II or III. (See Appendix 4170, Part II, E.2).
8. Obligated Position. A position which has been administratively identified as reserved or "obligated" for future incumbency by a former employee who possesses reemployment or restoration rights.